

# CITY COUNCIL #23-94

October 11th, 1994

127/94

7:30 p.m.

## PRESENT

A regular meeting of Council was held with the following members present: His Worship, Mayor Ron Martelle, Aldermen Brian Sylvester, Angelo Lebano, Dean Hollingsworth, Norm Lalonde, Dick Aubry, Susan Carter, Terri Lalonde, Chuck Charlebois, and Aimé LeBlanc.

## ABSENT

Alderman Tom Green

## IN ATTENDANCE

Mr. R. Allaire, Chief Administrator/Clerk, Mr. F. Hamelin, Assistant Chief Administrator / Manager Public Works, Frank McDonald, Steve Alexander, Natalie Fitzharris, Sherman Goodwin, Brian Casselman, Graham Dart, and D. Labelle-Gélinas, Recording Secretary.

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## INVOCATION

Richard Allaire, Chief Administrator/Clerk

It was moved by Aldermen Brian Sylvester and Chuck Charlebois that the following be added to this evening's agenda:

1. Pay Equity Report by the Manager of Finance as Communication Item #8; and
2. Retirement Incentive Plan by Human Resources as Communication Item #9.

MOTION CARRIED

## PRESENTATIONS

### #1 Fred D'Alessio - Cornwall Minor Girls Softball

Mayor Martelle and Council recognized Mr. Fred D'Alessio, Chairman of the Cornwall Minor Girls Softball Association for his dedication to the community and youth of our City.

### #2 Centra Gas - Operation Public Alert

Mr. Paul Pastirik, Area General Manager introduced Centra Gas "Operation Public Alert (PA)" as a community watch program aimed at making Northern and Eastern Ontario communities safer and more secure place to live. Mr. Pastirik indicated that Operation PA would provide a vital service to the people of our city. The program will assist the public and law enforcement within our community and would serve as the eyes and ears of the Community.

A six minute video was shown to better explain the Operation PA program. In conclusion, Mr. Pastirik was commended by members of Council on initiatives taken by Centra Gas.

## **ADOPTION OF MINUTES**

It was moved by Aldermen Aimé LeBlanc and Angelo Lebano that the Council minutes of **September 26th, 1994** be adopted as circulated.

MOTION CARRIED

It was moved by Aldermen Brian Sylvester and Norm Lalonde that the Committee of Council minutes of **September 26th, 1994** be adopted as circulated.

MOTION CARRIED

## **COMMITTEE OF THE WHOLE**

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that Council go into the Committee of the Whole and that all delegations, resolutions, communications, and by-laws be referred to that Committee and that by-laws 144-1994 to 147-1994 inclusive be given first reading.

MOTION CARRIED

## **BY-LAWS - First Reading**

- 144-1994 A by-law to enter into an Easement on Hawkshaw Avenue for Fly Creek granted to the City of Cornwall through Committee of Adjustment Applications No. B-15-94 and B-62-93.
- 145-1994 A by-law to repeal and replace by-law 016-1990, a by-law regulating Tag Days in order to reserve a permanent tag day for the S.D. & G. Resource Center for Injured Workers.
- 146-1994 A by-law to amend the Procedural By-law, 004-1991. (Acceptance of Committee of Council Agendas)
- 147-1994 A by-law to repeal by-law 091-1994, a by-law to authorize the Mayor and Clerk to enter into an Agreement with Anne Vaughan, Manager of Operations and Marketing, Cornwall Aces.

## **DELEGATIONS**

#1 Sydney Street Residents' Association

Mr. Larry Welch, representative of the Sydney Street Resident Association, was present this evening to express concerns with regard to the ease with which adult entertainment clubs may be opened in the downtown area of this city. The Association felt that this type of entertainment and its proposed location was incompatible with the location of other institutions in the general area.

In conclusion, Mr. Welch proposed that Council address this issue to prevent the location of such establishments in the Central Business District.

It was then moved by Aldermen Dick Aubry and Angelo Lebano that this matter be referred to Administration and the Planning Advisory Committee for report.

MOTION CARRIED

It was further moved by Aldermen Norm Lalonde and Terri Lalonde to invoke Rule 10 of the Procedural By-law to allow Mr. Gagnon, owner of Runway 109 (establishment in question), the opportunity to speak on this matter.

A recorded vote resulted as follows:

FOR

Alderman Terri Lalonde  
Alderman Norm Lalonde

AGAINST

Mayor Ron Martelle  
Alderman Angelo Lebano  
Alderman Susan Carter  
Alderman Chuck Charlebois  
Alderman Dean Hollingsworth  
Alderman Dick Aubry  
Alderman Brian Sylvester  
Alderman Aimé LeBlanc

MOTION DEFEATED 8-2

## RESOLUTIONS

#18-94 It was moved by Aldermen Aimé LeBlanc and Norm Lalonde that:

**WHEREAS** Municipal Elections are being held on Monday November 14th, 1994; and

**WHEREAS** Municipal Council's regular meetings are scheduled for Monday November 14th, 1994 and November 28th, 1994; and

**WHEREAS** it is deemed necessary to cancel the November 14th, 1994 meeting; and

**WHEREAS** the meeting scheduled for Monday November 28th, 1994 would be four weeks from the last meeting of October 1994.

**WE THEREFORE RECOMMEND THAT** both meetings of Monday November 14th, 1994 and Monday November 28th, 1994 be cancelled and that a meeting be scheduled for Monday November 21st, 1994 at 7:30 p.m. and, that the regularly scheduled P.A.C. meeting of Monday November 21st, 1999 be re-scheduled to Tuesday November 22nd, 1994.

MOTION CARRIED

#19-1994 It was moved by Aldermen Brian Sylvester and Chuck Charlebois that:

**WHEREAS** the Municipal Tax Sales Act provides for the registration of a tax arrears certificate on improved land on the 1st day of January in the third year following that in which the real property taxes become owing or on any vacant land on the 1st day of January in the second year following that in which the real property taxes become owing; and

**WHEREAS** the Municipal Tax Sales Act also provides that if after a one year period following the date of registration of the tax arrears certificate the cancellation price remains unpaid and there is no subsisting extension agreement that only then can the Treasurer of a municipality offer the land for public sale in an attempt to recover the outstanding taxes; and

**WHEREAS** the largest percentage of taxes levied is on improved land and the provision of a three year arrears period plus a one year redemption period results in four years taxes outstanding; and

**WHEREAS** municipalities are required to remit to School Boards and other requisitioning bodies the complete amount requisitioned even though the tax may not be collected which places an unfair burden on municipalities and results in needless borrowing costs for the ratepayers.

**NOW THEREFORE BE IT RESOLVED THAT** A.M.O. petition the Provincial Government whereby the Municipal Tax Sales Act be amended to provide for one class of land, improved and/or vacant and that the arrears period be one year for all classes of property before a tax arrears certificate can be registered which would shorten the total process from four years to two years and significantly improve the collection of outstanding taxes; and

**BE IT FURTHER RESOLVED THAT** Section 3, Subsection 1a and 1b of the Municipal Tax Sales Act, Chapter M.60, R.S.O. 1990 be replaced by a single section which should read:

*"Where any part of tax arrears is owing with respect to any land in a municipality on the 1st day of January in the year following that in which the real property taxes become owing, the Treasurer, unless otherwise directed by the Municipal Council, may prepare and register a tax arrears certificate in the prescribed form against the title to the land with respect to which the tax arrears are owing."*

**MOTION CARRIED**

## CONSENT AGENDA

It was moved by Aldermen Norm Lalonde and Dick Aubry that the Consent Agenda, items A through E inclusive, be approved.

### MOTION CARRIED

#### A. CO-OPERATIVE HOUSING FEDERATION OF EASTERN ONTARIO INC.

That Council proclaim Sunday October 16th, 1994 as Co-op Housing Day.

#### B. S.D.& G.RESOURCE CENTER FOR INJURED WORKERS

That Council approve the request to conduct a Tag Day on April 22, 1994 and to have an annual Tag Day on the Saturday before April 28th.

#### C. ROYAL CANADIAN LEGION

That Council approve the request to hold their annual Poppy Campaign on Sunday November 6th, 1994.

#### D. PETITION

That the petition from residents of Larin Avenue requesting that curbing on both sides of the street, including filling in of the ditch, be completed, be referred to Administration.

#### E. PETITION

That the petition from residents of Easton Avenue requesting that bus service resume on Easton Avenue between Danis and Dunbar, be referred to Administration.

## COMMUNICATION

1. **PAY EQUITY**

It was moved by Aldermen Dick Aubry and Brian Sylvester that Council receive the report from the Chief Administrator dated September 30th, 1994.

**MOTION CARRIED**

2. **TAX STABILIZATION**

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that this report from the Manager, Transit dated September 16, 1994 be part of the next Council strategic planning session, in preparation for budget deliberations.

**MOTION CARRIED**

3. **TAX STABILIZATION - ATU Local 946**

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that Council receive the report from A.T.U. Local 946 dated October 6, 1994.

**MOTION CARRIED**

4. **FEE FOR SERVICES FESTIVALS**

It was moved by Aldermen Norm Lalonde and Aimé LeBlanc that Council receive the report from the Deputy Clerk dated October 3, 1994.

**MOTION CARRIED**

5. **A.M.O. BILL OF RIGHTS**

It was moved by Aldermen Aimé LeBlanc and Angelo Lebano that Council support the principles contained in the Bill of Rights and encourage A.M.O. to continue efforts to put those principles into a legal context.

**MOTION CARRIED**

6. **TENDER #53-94 - Winter Coarse Salt**

It was moved by Angelo Lebano and Chuck Charlebois that this tender be awarded to Sifto Canada Inc., Mississauga at the total bid price of \$267,863.75 including all taxes being the low bid meeting the tender specifications.

**MOTION CARRIED**

7. **TENDER #58-94** - Service of Heating Units, Justice Building

It was moved by Aldermen Aimé LeBlanc and Norm Lalonde that this tender be awarded to Oscar Ladouceur and Son at the total bid price of \$4,815.00 including all taxes being the low bid meeting the tender specifications.

**MOTION CARRIED**

8. **PAY EQUITY**

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that Council approve the recommendation to authorize an additional \$96,000 for Pay Equity and these funds be taken from the 1994 working reserves.

**MOTION CARRIED**

9. **RETIREMENT INCENTIVE PLAN**

It was moved by Aldermen Brian Sylvester and Dean Hollingsworth that the current plan be extended until March 31, 1996 and that a complete review of the plan be carried out by March 31, 1996 to determine if the plan should continue after that date.

**MOTION CARRIED**

## **ADOPTION OF THE COMMITTEE OF THE WHOLE**

### **BY-LAWS            Second Reading**

It was moved by Aldermen Aimé LeBlanc and Angelo Lebano that the Committee of the Whole be adopted as reported and that By-laws 144-1994 to 147-1994 inclusive, be given second reading.

**MOTION CARRIED**

### **BY-LAWS            Third Reading**

It was moved by Aldermen Terri Lalonde and Norm Lalonde that By-laws 144-1994 to 147-1994 inclusive, be taken as read a third time and finally passed.

**MOTION CARRIED**

## **REPORTS FROM AD HOC COMMITTEES OF COUNCIL**

### **Emergency 911 Committee**

Alderman Aimé LeBlanc spoke on behalf of the Emergency 911 Committee to advise of the official opening which will take place this November 21, 1994 between 10 a.m. and noon at the Civic Complex. Brochures and promotional materials have been prepared and will be made available for the citizens of Cornwall.

## NOTICES OF MOTION

## UNFINISHED BUSINESS

## NEW BUSINESS


#1

### TRAFFIC LIGHTS


It was moved by Aldermen Dean Hollingsworth and Norm Lalonde that City Council ask the Traffic Department to consider traffic lights at the corner of Highway 138 and Cornwall Center Road.

MOTION CARRIED

Adjournment: 8:50 p.m.

  
Clerk

  
Mayor

  
Recording Secretary